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APR 24 2006

In re Application of Nakayama et al.	:	
Application Number : 09/940,638	:	DECISION ON
Filed: August 29, 2001	:	PETITION TO
Attorney Docket Number: 500.40580X00	:	WITHDRAW
For: Electroluminescent Film Device	:	FINALITY

This decision is in response to petitioner's "PETITION UNDER 37 C.F.R. § 1.181 WITHDRAWAL OF FINALITY OF OUTSTANDING OFFICE ACTION" filed 13 December 2005, to invoke the supervisory authority of the Director of the USPTO to review the action of the examiner in the above-identified application. The petition is before the Director of Technology Center 2800 for review.

The petition is **GRANTED** to the extent indicated below.

The Final Rejection mailed 19 April 2005 introduced a new ground of rejection that was not necessitated by the petitioner's amendment filed 7 January 2005. The finality will be withdrawn, the Office will send out a non-final office action and the shorten statutory period will be restarted.

Sharon A. Gibson, Director  
Technology Center 2800 – Semiconductors, Electrical and  
Optical Systems and Components